

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAVAL JOHN BIG LEGGINS,

Defendant.

CR-10-07-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter October 17, 2016. (Doc. 78.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 12, 2016. (Doc. 78 at 4.) Big Leggins admitted that he violated the conditions of his supervised release. The violation proves serious and warrants revocation of Big Leggins's supervised release. Judge Johnston has recommended that the Court revoke Big Leggins's supervised release and commit Big Leggins to the custody of the Bureau of Prisons for four months. (Doc. 78 at 5.) Judge Johnston further has recommended that Big Leggins's term of custody be followed by 24 months of supervised release. *Id.* Judge Johnston also has recommended that the Court require Big Leggins to complete the treatment program at Connections Corrections in Butte, Montana. *Id.* at 6.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Big Leggins's violation of his conditions represents a serious breach of the Court's trust. A sentence of four months custody followed by 24 months of supervised release, and a requirement to complete the Connections Corrections treatment program, represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 78) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Laval John Big Leggins be sentenced to four months custody followed by 24 months of supervised release. The conditions previously imposed shall be continued.

IT IS FURTHER ORDERED that Defendant Laval John Big Leggins shall complete the treatment program at Connections Corrections in Butte, Montana.

DATED this 1st day of November, 2016.



Brian Morris
United States District Court Judge